

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2161 of 2016

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Md. ABBAS, aged about 55 years, S/o late Md. Gyan Ali, resident of Village + P.O. + P.S.- Parsauni, District- Sitamarhi. At present posted as Driver, Employees State Insurance Hospital, Budh Marg (Jamal Road), Patna.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Health Department, Government of Bihar, Patna.
2. Secretary, Labour Resources Department, Government of Bihar, Patna.
3. Director, Health Services, Employees' State Insurance Policy, Bihar Labour Resources Department, Patna.
4. In-Charge, Insurance Medical Officer, Employees State Insurance Hospital, Muzaffarpur.
5. Insurance Medical Officer, Employees State Insurance Hospital, Budh Marg (Jamal Road), Patna.

.... Respondents

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Appearance :

For the Petitioner : Mr. Sanjay Kumar @ S.K., Advocate.

For the Respondents : Mr. Sheo Shankar Prasad, S.C. 10.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-09-2017 Heard learned counsel for the petitioner and learned counsel for the respondents.

The following relief has been sought for on behalf of the petitioner in the present writ application.

“1. That the present writ application is being filed on behalf of the petitioner for issuance of a writ in the nature of “Mandamus” to quash the Order No. 49 dated 18.07.13 (Annexure-8), passed by the respondent no. 3 through Memo No. 966 by which though suspension of the petitioner revoked but his two salary increment stopped with non-



accumulative effect spite of sufficient explanation dated 15.07.13 filed by the petitioner upon the show cause issued by the office of the respondent no. 3 and further commanding the respondent authority concerns to include the stopped two salary increment in salary of the petitioner as well as make payment of salary of 55 leave days and back arrears of the petitioner”.

Considering the relief sought for on behalf of the petitioner, the petitioner is directed to file an appeal under Bihar Government Servants (Classification, Control and Appeal) Rules, 2005 before the competent Appellate Authority within a period of 45 days from the date of the order. The Appellate Authority shall consider the appeal of the petitioner and dispose of the same by passing a reasoned order in accordance with law.

With the aforesaid observations and directions, the present writ application stands disposed of.

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(Sudhir Singh, J)

